

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re: ) Chapter 9  
 )  
CITY OF DETROIT, MICHIGAN, ) Case No. 13-53846  
 )  
 ) Hon. Steven W. Rhodes  
Debtor. )  
 )  
\_\_\_\_\_

***EX PARTE MOTION FOR SHORTENED NOTICE AND  
EXPEDITED HEARING REGARDING THE MOTION OF THE DETROIT  
RETIREMENT SYSTEMS FOR AN ORDER EXTENDING DEADLINE TO  
RESPOND TO DISCOVERY REQUESTS***

The Police and Fire Retirement System of the City of Detroit and the General Retirement System of the City of Detroit (together, the “Retirement Systems”) submit this *Ex Parte* Motion (the “Motion”) pursuant to 11 U.S.C. § 102(1)(A), Rules 2002(m), 9006(c) and 9007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and E.D. Mich. LBR 9006-1(b) for entry of an order shortening the applicable notice period on the Motion of the Detroit Retirement Systems for an Order Extending Deadline to Respond to Discovery Requests (the “Extension Motion”), setting an expedited hearing on the Extension Motion, and for related relief. In support of this Motion, the Retirement Systems respectfully state as follows:

## **Bases for Relief**

1. The legal bases for the relief requested herein are section 102(1)(A) of the Bankruptcy Code, Bankruptcy Rules 2002(m), 9006(c), and 9007, and E.D. Mich. LBR 9006-1(b). Pursuant to Bankruptcy Rule 9006(c), the Court may, for cause shown, reduce the time for performance of any act required by the Federal Rules of Bankruptcy Procedure and any applicable period for notice thereof. Pursuant to E.D. Mich. LBR 9006-1(b), a party may move for, and the Court may enter, an *ex parte* Order reducing the time for a party to take any action or file any paper. Section 102(1)(A) of the Bankruptcy Code and Bankruptcy Rules 2002(m) and 9007 grant the Court broad authority to regulate the form and manner of notice of hearings.

## **Background and Relief Requested**

2. As discussed in the Extension Motion, the Retirement Systems requested a brief extension of time to serve written responses and objection to the Discovery Requests.<sup>1</sup> The Retirement Systems also requested a short extension of time to complete their production of documents, including electronically stored information, and any related privilege log through and including May 19, 2014.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Extension Motion.

3. The Retirement Systems believe that the City has agreed to extend their deadline for filing written responses and objections to the Discovery Requests through and including May 7, 2014. The Retirement Systems also believe that issues, if any, relating to the timing of their production of documents, including electronically stored information, and any related privilege log will be resolved during further discussion with the City.

4. The Retirement Systems filed the Extension Motion out of an abundance of caution and are optimistic that the issues raised in the Motion will be able to be resolved within the next 24 hours through further discussions with the City.

5. Good cause exists for shortening notice of and expediting the hearing on the Extension Motion because the Court has already scheduled a hearing on May 12, 2014 for resolution of discovery issues and such relief is consistent with the expedited nature of the Chapter 9 case, generally.

6. For these reasons, good cause exists for shortening the notice period and expediting the hearing on the Extension Motion.

7. Accordingly, the Retirement Systems respectfully request that this Court expedite consideration of the Extension Motion and schedule a hearing for Monday, May 12, 2014.

8. The Retirement Systems propose that the: (i) Order entered pursuant to this Motion and (ii) Extension Motion be served via the CM/ECF system upon all parties requesting ECF notice in this case.

9. The Retirement Systems submit that such service is appropriate and sufficient under the circumstances.

WHEREFORE, the Retirement Systems request that the Court enter an Order substantially in the form attached hereto as Exhibit A, and grant such other and further relief as the Court deems just and proper.

CLARK HILL PLC

/s/ Shannon L. Deeby

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Dated: May 7, 2014

*Counsel to the Police and Fire Retirement  
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Retirement System of the City of Detroit*

# EXHIBIT A

UNITED STATES BANKRUPTCY COURT  
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CITY OF DETROIT, MICHIGAN, ) Case No. 13-53846  
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**ORDER GRANTING *EX PARTE* MOTION FOR SHORTENED NOTICE  
AND EXPEDITED HEARING REGARDING THE MOTION OF THE  
DETROIT RETIREMENT SYSTEMS FOR AN ORDER EXTENDING  
DEADLINE TO RESPOND TO DISCOVERY REQUESTS**

This matter comes before the Court on the Detroit Retirement Systems' *Ex Parte* Motion (the "Motion") for Shortened Notice and Expedited Hearing Regarding the Motion of the Detroit Retirement Systems for an Order Extending Deadline to Respond to Discovery Requests (the "Extension Motion"); the Court having reviewed and considered the Motion and finding that good cause exists for granting the relief in this order;

IT IS HEREBY ORDERED that:

1. The Motion is granted.
2. A hearing on the Extension Motion will be conducted on May \_\_, 2014 at \_\_:\_\_ a.m./p.m., in the courtroom of the Honorable Steven W. Rhodes,

United States Bankruptcy Court, 231 W. Lafayette, Courtroom \_\_\_, Detroit,  
Michigan 48226.